

WHEREAS, H. R. F. Helland, Construction Engineer, has recommended the acceptance of this work, the total cost of same to be \$234.75; now, therefore,

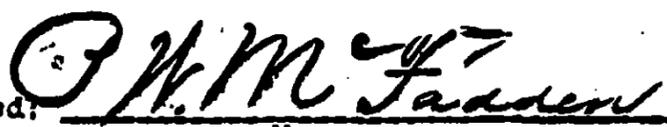
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the resurfacing of Colorado Street, between 8th and 9th Streets, be accepted; that the sum of \$234.75 be appropriated out of the Street Improvement Bond Fund, and the City Manager be instructed to have a warrant issued to the Southwest Bitulithic Company for the sum of \$234.75 in payment of said work.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gill Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Councilman Mueller moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Council then recessed.

Approved:   
MAYOR.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 8, 1931.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; absent, Councilman Mueller, 1.

The Minutes of the last regular meeting were read and adoption of same deferred until the next regular meeting.

This being the day set for the hearing of owners of abutting property and others interested with reference to street improvements to be constructed in the certain Units or Districts of Improvement as follows:

NORTH GUADALUPE STREET from the south line of Twenty-Ninth Street to the south line of East Drive in Central Park, known and designated as Unit or District No. P-178;

TWENTY-NINTH STREET from the west line of North Guadalupe Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-180;

as awarded to L. E. Whitham & Company

the Mayor thereupon stated that all persons desiring to protest the levying of assessments against abutting property on the above mentioned streets and within the limits above stated, or who desired to be heard with reference to the improvements proposed to be assessed against said property and the owners thereof, the lien and liability thereof, the special benefits to the property and the owners thereof, or any other matters or things

authorized by the provisions of Article XXIV of the Charter of the City of Austin to be urged and considered at this hearing, would now be heard from, and no one appeared to be heard, the Mayor thereupon laid before the Council the following ordinance:

**ORDINANCE OF THE CITY OF AUSTIN, TEXAS,  
CLOSING A HEARING GIVEN TO PROPERTY  
OWNERS ON NORTH GUADALUPE STREET AND  
SUNDRY OTHER STREETS IN THE CITY OF  
AUSTIN, AND DECLARING AN EMERGENCY.**

The above ordinance was read the first time and Mayor McFadden moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The ordinance was read the second time and Councilman Alford moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The ordinance was read the third time and Councilman Alford moved that same be finally passed. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following ordinance:

**ORDINANCE OF THE CITY OF AUSTIN, TEXAS, LEVYING  
AN ASSESSMENT FOR THE PAYMENT OF A PART OF THE  
COST OF IMPROVING NORTH GUADALUPE STREET AND  
SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, AND  
FIXING A LIEN AGAINST PROPERTY ABUTTING ON SAID  
STREETS AND A PERSONAL CHARGE AGAINST THE OWNERS  
THEREOF, AND PROVIDING FOR THE COLLECTION THEREOF,  
AND DECLARING AN EMERGENCY.**

The above ordinance was read the first time and Mayor McFadden moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, non; Councilman Mueller absent, 1.

The ordinance was read the second time and Mayor McFadden moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The ordinance was read the third time and Councilman Alford moved that same be finally passed. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor announced that the hearings on the following streets:

BELLEVUE PLACE from the east line of Duval Street to the west line of Harris Park Avenue, District No. P-183;

EAST SIXTEENTH STREET from the east property line of East Avenue to the east property line of Navasota Street, District No. 52;

WABASH AVENUE FROM THE NORTH PROPERTY LINE OF THIRTY-FOURTH STREET to the south property line of Thirty-Eighth Street, District No. P-168;

ALICE AVENUE from the north property line of Thirty-Eighth Street to the south property line of Fortieth Street, District No. P-170;

ALICE AVENUE from the south property line of Fortieth Street to the north property line of Forty-Second Street, District No. P-171;

ALICE AVENUE from the north line of Forty-Second Street to a line crossing Alice Avenue at right angles from the point of intersection of the city limits line with the west line of said Alice Avenue, District No. P-172;

THIRTY-EIGHTH STREET from the east line of Wabash Avenue on the south side and the west line of alley east of Alice Avenue on the north side to the east line of alley west of Wabash Avenue on the south side to the west line of Alice Avenue on the north side, District No. P-169;

which were continued from the last regular meeting would be continued until the next regular meeting.

A committee from the Chamber of Commerce and Retail Merchants Association appeared before the Council and submitted a written request asking that the resurfacing of Congress Avenue and Sixth Street be postponed until after Christmas in order that the holiday business of the merchants would not be affected. Councilman Steck moved that the contract for the resurfacing of said streets be let on the 15th instant, as contemplated, but that actual work commence on the 26th of December next. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

A communication from Mrs. Chas. Stephenson, President of the Austin Public Library Commission, advising that said Commission had selected H. F. Kuehne as architect for the new library building, was read. The Council referred the matter to the City Manager and City Attorney to confer with Mr. Kuehne relative to contract for his employment in this capacity and submit same to the Council for ratification.

A communication from Lem Scarbrough, asking for relief from the dust nuisance on Twenty-Seventh Street from Guadalupe to Speedway, was read and the matter referred to the Street Department for immediate attention.

A petition signed by the property owners on West Lynn Street from Sixth to Twelfth Streets, asking that the paving of this street be postponed, was read and the matter taken under advisement.

Reports of Southwest Bitulithic Company and H. R. F. Helland, Consulting Engineer, advising that the paving has been completed on San Antonio Street from Twelfth to Nineteenth Streets, Units Nos. P-127 and P-128, except in front of the homesteads of Mrs. Mary J. Phelps, Offie Leonard, Amelia Hutter, Mrs. Helen Pfannkuchen, were read and ordered filed.

The Mayor then laid before the Council the following resolutions:

RESOLUTION ACCEPTING STREET IMPROVEMENTS  
CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY  
ON A PORTION OF SAN ANTONIO STREET IN THE  
CITY OF AUSTIN, PROVIDING FOR PAYMENT OF  
ANY BALANCE DUE BY THE CITY FOR ITS PORTION  
OF THE COST OF SAID IMPROVEMENTS AND FOR  
THE DELIVERY OF CERTIFICATES OF ASSESSMENTS  
AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 24th day of March, A. D. 1931, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

SAN ANTONIO STREET from the north property line of West 12th Street to the south property line of West 15th Street, known and designated as Unit or District No. P-127; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement above described in accordance with its contract and the plans and specifications made a part thereof, and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of San Antonio Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said Contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF SAN ANTONIO STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 24th day of March, A. D. 1931, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

SAN ANTONIO STREET from the north property line of West 15th Street to the south property line of West 19th Street, known and designated as Unit or District No. P-128; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvements above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of San Antonio Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said Contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

## III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council for its second reading the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF WALLER BOULEVARD IN THE CITY OF AUSTIN, LETTING CONTRACT THEREFOR, APPROVING CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF, AND DECLARING AN EMERGENCY.

The above ordinance was read the second time and Councilman Alford moved a suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The ordinance was read the third time and Councilman Alford moved that same be finally passed. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AMENDING THE CERTAIN ORDINANCE ENTITLED "AN ORDINANCE PROHIBITING THE INSTALLATION OF WATER HEATERS IN BATHROOMS, AND THE SERVICE OF GAS THERETO, AND PRESCRIBING A PENALTY", BY REPEALING SECTION 2 THEREOF.

The above ordinance was read the first time and Councilman Steck moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The ordinance was read the second time and Councilman Steck moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The ordinance was read the third time and Councilman Steck moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE PROHIBITING THE STOPPING OR STANDING OF VEHICLES IN FRONT OF RESIDENCES AND PRIVATE DRIVEWAYS IN THE CITY OF AUSTIN, REPEALING ORDINANCES IN CONFLICT, AND PRESCRIBING PENALTIES.

The above ordinance was read the first time and laid over.

Mayor McFadden moved that permission be granted the United Daughters of the Confederacy to place a memorial highway marker on the Jefferson Davis Highway No. 20 at the corner of Nineteenth and San Jacinto Streets, showing a detour to the Robert E. Lee Park at Burnet, Texas. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor announced that the hearing called for this day, in accordance with published notice thereof, on the proposal of the City Council to amend the Zoning Ordinance of the

City of Austin in the following particulars:

(1) To amend the USE designation of all that property fronting on Garden Street from a line 144 feet west of the west line of Lynn Street to a line 144 feet east of the east line of Lynn Street, and all that property fronting on Lynn Street from a line 140.5 feet north of the north line of Garden Street to a line 140.5 feet south of the south line of Garden Street so as to change the same from "A" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT.

(2) To amend the USE designation of all that property fronting east on East Avenue from a line 126 feet south of the south line of 19 $\frac{1}{2}$  Street to 20 $\frac{1}{2}$  Street, and all of that property fronting west on Oldham Street from 19 $\frac{1}{2}$  to 20th Street, and all that property fronting north on 20 $\frac{1}{2}$  Street from a line 138 feet west of the west line of Swisher Street to the west line of Swisher Street, and all that property fronting south on 20th Street from a line 138 feet west of the projected west line of Swisher Street to the projected west line of Swisher Street so as to change the same from "A" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT;

would now be opened. No one appearing to be heard, the Mayor laid before the Council the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY. "

The above ordinance was read the first time and Mayor McFadden moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The ordinance was read the second time and Mayor McFadden moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The ordinance was read the third time and Mayor McFadden moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and instructed to convey by deed in behalf of the City of Austin to W. J. Bledsoe, Jr., in consideration that said W. J. Bledsoe, Jr., pay the cost of paving on West Fifth Street abutting the parcel of land so to be conveyed, the following parcel of land:

Being 245 square feet of land in Outlot 11, Division "2" of the Government Outlots adjoining the City of Austin, Travis County, Texas, and also being a portion of that certain tract or parcel of land which was conveyed to the City of Austin by Mrs. Emma Jacobs, et al. according to a deed in Travis County Deed Records, Volume 464, Pages 459 and 460, deed

dated February 19, 1931, and being more particularly described by metes and bounds as follows, to-wit:

Beginning at an iron stake, the northwest corner of that certain tract or parcel of land in Outlot 11, Division "Z" of the Government Outlots adjoining the City of Austin, Travis County, Texas, which lot was conveyed to the City of Austin by Mrs. Emma Jacobs, et al., according to a deed in Travis County Deed Records, Volume 464, Pages 459 and 460, and from which point of beginning a concrete monument at the intersection of the center line of West Avenue and the center line of West Fifth Street bears S. 71° E. 201 feet and S. 19° W. 25.10 feet, to-wit:

Thence S. 19° W. 7.4 feet following the west line of said Jacobs, et al., to City of Austin tract to an iron stake on the north line of West Fifth Street.

Thence S. 77°28' E. 66.56 feet following the north line of said West Fifth Street to a point on the north line of said Jacobs et al, to City of Austin tract;

Thence N. 71° W. 66.15 feet following the north line of said Jacobs et al to City of Austin tract to the point of beginning, containing 245 square feet of land and being the northwest portion of said Jacobs et al to City of Austin tract referred to above.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) A telephone pole line in FORREST TRAIL from Enfield Road to the City Limits, the center line of which telephone pole line shall be 2 feet east of and parallel to the west line of said Forrest Trail.

(2) A telephone pole line in BEANNA STREET from Park Place to East Thirtieth Street, the center line of which pole line shall be 6½ feet west of and parallel to the east line of said Beanna Street.

(3) A telephone pole line in LEONARD STREET from Beanna Street westerly to Waller Creek, the center line of which pole line shall be 6½ feet south of and parallel to the north line of said Leonard Street.

(4) A telephone pole line in CHESTNUT AVENUE from Rosewood Avenue to East Twelfth Street, the center line of which pole line shall be 7½ feet west of and parallel to the east line of said Chestnut Avenue.

(5) A telephone pole line in NEW YORK AVENUE from Chestnut Avenue to Colita Street, the center line of which pole line shall be 8 feet south of and parallel to the north line of said New York Avenue.

That the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, Lot No. 59, Pleasant View Addition of the City of Austin, Travis County, Texas, owned by Herman Becker, has been used by the general public for street purposes for many years; and

WHEREAS, the taxes on said lot for the years 1930 and 1931, amounting to \$5.50 with 51¢ penalty and interest, are unpaid; and

WHEREAS, the said Herman Becker is willing to deed said lot to the City of Austin for street purposes for the consideration of the remission of the above mentioned amount of taxes; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City of Austin accept said proposition of said Herman Becker, and the City Manager is hereby authorized to accept the deed of said Herman Becker for Lot No. 59 , Pleasant View Addition to the City of Austin, Texas, for the consideration of the remission of taxes, together with interest and penalty, amounting to \$6.01, for the years 1930 and 1931, and the City Tax Assessor and Collector is hereby instructed to change his records accordingly.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

Councilman Gillis moved that the cedar bridge over Blunn Creek in the South Austin Park, constructed by J. F. Johnson, Contractor, be accepted, in accordance with the recommendation of the City Engineer, Orin E. Metcalfe, and that the City Manager be authorized to make final payment on same. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

A letter from C. R. Smith, Vice-President American Airways, Inc., acknowledging receipt of Austin Airport Contract, was read and ordered filed.

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board of the City of Austin has recommended the purchase of §26/1000 of an acre of land, a part of Outlet 59, Division "D" on the south side of Shoal Creek east of San Gabriel Street, all in the City of Austin from Mrs. Mary B. Smith; and

WHEREAS, the City Council of the City of Austin has favorably considered the recommendation of the Park Board; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin is hereby authorized and instructed to close the trade for the purchase of said property from Mrs. Mary B. Smith subject to Mrs. Mary B. Smith's furnishing the abstract and proof of good title, and subject to Mrs. Mary B. Smith's assuming all the expenses incident to preparing the transfer papers; and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the sum of Four Hundred and Thirteen (\$413.00) Dollars is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of payment for §26/1000 of one acre of land, said land being a portion of Outlet 59, Division "D" of the Government Outlots of the City of Austin.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board of the City of Austin has recommended various improvements of playgrounds in the City of Austin; and

WHEREAS, the Park Board has also recommended the purchase of an additional playground in the City of Austin in accordance with the following tabulated detail:

For Basket Ball Goals -----	\$ 73.63
" Playground Equipment at Rosewood Park ----	30.00
" Improvements to Shelter House at Hyde Park--	7.20
" Improvements to Shelter House at South Austin Park -----	6.70
" Benches at Hyde Park and West Austin Parks--	20.00
" Shrubs and Planting in West Austin Park ---	128.30
" Fees for recording Land Purchase -----	8.25
	<u>\$274.08</u>

WHEREAS, the City Council of the City of Austin has favorably considered the recom-

mendations of the Park Board; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the sum of Two Hundred and Seventy-four Dollars and Eight Cents (\$274.08) is hereby appropriated out of the Parks and Playgrounds Bond Fund for the various improvements and for the purchase of additional equipment to be used in the playgrounds of the City of Austin in accordance with the schedule heretofore set forth.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The application of James C. Guthrie to construct a cement drive-in in front of his place of business at 1712 Congress Avenue was read. A report of Orin E. Metcalfe, City Engineer, recommending that permit be not granted on the grounds that city property can not be appropriated to private use and that same would create a hazard to pedestrians, was also read. Mayor McFadden moved that permit be denied in accordance with the recommendations of the City Engineer. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Councilman Alford, Mayor McFadden, Councilman Steck, 3; nays, none; Councilman Gillis present but not voting, Councilman Mueller absent.

The Mayor laid before the Council the following resolution:

WHEREAS, the curb and sidewalk specifications of the City of Austin, which have been previously adopted by the City Council of the City of Austin, require all curbs and sidewalks to be of concrete; and

WHEREAS, R. E. Merrill has requested the City Council of the City of Austin to grant him a permit to lay a flag-stone walk in front of his property located at 4308 Avenue "D"; and

WHEREAS, the City Engineer has investigated and approved the construction of said flag-stone walk; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That R. E. Merrill is hereby granted the right to construct a flag-stone walk in front of his property located at 4308 Avenue "D", said walk to be constructed under the supervision of the Engineering Department and according to lines and grades furnished same.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following:

"Austin, Texas, October 8, 1931.

Mr. Adam R. Johnson,  
City Manager,  
Austin, Texas.

Dear Sir:

We have considered the application of L. Gay for a permit to construct and operate a gasoline filling station on property owned by him situated on the southeast corner of Garden and Lynn Streets, which property is legally described as Lot 8, Block "E" of the Driving Park Addition to the City of Austin, being a subdivision of Outlot 49, Division "O" of the Government Outlots of the City of Austin. We hereby advise that the following conditions exist:

(a) That he proposes to construct the filling station on property which has been classified by the City Council as being located within the "O" Commercial Use District.

(b) That he proposes to install all equipment according to City Ordinances and regulations.

Mr. Gay has been advised of the Building, Zoning and Filling Station Ordinances.

We recommend that L. Gay be granted a permit to construct and operate said filling

station subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalk and gutter on Garden and Lynn Streets before he starts any construction relating to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the Building Ordinance, Zoning Ordinance, Filling Station Ordinance and in accord with the Ordinance prohibiting the disposal of commercial water or oil upon the City streets.

(3) That the grades of the station or the grades of the property shall be such that no waste oils or water or any floor washing shall ever pass over the City sidewalk area, and that all of said oils and water shall be cared for upon the property of the applicant at his own expense. In the event that the waste oils and water create a nuisance or cause a complaint either by the Health Department or his neighbors, then L. Gay shall concentrate all of said oils and water into a combined sand and grease trap which shall be constructed in accord with our standard plan 2-H-48, and which shall be connected by a pipe connection to the nearest storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director. The applicant is hereby put upon notice that the nearest city storm sewer is 64 feet distant from his proposed filling station site.

(4) That pumps shall be located as shown on the plan hereto attached marked 2-H-182.

(5) That the location of all ramps and sidewalk area crossing shall be in accord with plan 2-H-182, which plan is hereby made a part of this resolution.

(6) That that portion of the adjacent sidewalks, curbs, ramps and gutters adjacent to the property to be developed into a filling station and specifically marked on the plan 2-H-182 shall be constructed of concrete before any occupancy permit is granted.

(7) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

(Sgd) G. S. Moore,  
Building Inspector.

Orin E. Metcalfe,  
City Engineer. "

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the southeast corner of Lynn and Garden Streets known as Lot 8, Block "E", as a filling station site, and hereby authorizes L. Gay to construct and operate a filling station subject to same's being constructed subject to all the Ordinances relating thereto, and further subject to the foregoing attached recommendations and plans, and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all of the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if after hearing it is found by the City Council that L. Gay has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following :

"Austin, Texas, October 7, 1931.

Mr. Adam R. Johnson,  
City Manager,  
Austin, Texas.

Dear Sir:

We have considered the request of G. S. Hamby, owner of the property situated at the northeast corner of Eleventh and Red River Streets, being a portion of Lot 1, Block 140, of the Original City of Austin, and hereby advise that the following conditions exist and make

the following recommendations:

(a) That he proposes to construct a filling station on property which is shown on the Zoning map as being within the "C" Commercial Use District. Waller Creek runs through the edge of the property owned by the applicant into which waste water can be concentrated after having gone through a sand and grease trap.

(b) G. S. Hamby has advised us that he proposes to reconstruct his building so that all City Ordinances will be complied with.

We recommend that G. S. Hamby be granted a permit to construct and operate said filling station subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalk and gutter on Eleventh and Red River Streets before he starts any construction relating to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the Building Ordinance, Zoning Ordinance, Filling Station Ordinance and in accord with the Ordinance prohibiting the disposal of commercial water or oil upon the city streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washing shall ever pass over the city sidewalk, and that all of said oils and water shall be concentrated into a combined grease and sand trap, which shall be constructed in accordance with our standard plan 2-H-48, and shall be conducted by a pipe connection from said sand trap to Waller Creek at the expense of the applicant.

(4) That pumps shall be located as shown on the plan hereto attached, marked 2-H-181.

(5) That the location of all ramps and sidewalk area crossings shall be in accord with plan 2-H-181, which plan is hereby made a part of this resolution.

(6) That all adjacent sidewalks, curbs, ramps and gutters adjacent to that property to be developed as a filling station shall be constructed of concrete as shown on Plan 2-H-181.

(7) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

(Sgd) G. S. Moore,  
Building Inspector.

Orin E. Metcalfe,  
City Engineer. "

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the northeast corner of Eleventh and Red River Streets as a filling station site, and hereby authorizes G.S.Hamby to construct and operate a filling station subject to same's being constructed in accordance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans, and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all of the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if after hearing it is found by the City Council that G. S. Hamby has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following:

"Austin, Texas, October 7, 1931.

Mr. Adam R. Johnson,  
City Manager,  
Austin, Texas.

Dear Sir:

We have considered the application of Messrs. W. T. Caswell and J. T. Bowman for a permit to construct and operate a gasoline filling station on property owned by them sit-

uated on the southwest corner of Twelfth Street and West Avenue, and hereby advise that the following conditions exist:

(1) That they propose to construct the filling station on property which is shown on the Zoning map as being located within the "C" Commercial Use District. The nearest storm sewer which can be connected with is 416 feet distant from the property upon which they propose to construct their filling station.

(b) Messrs. Caswell and Bowman propose to construct and operate their filling station subject to the city ordinances and regulations of the City of Austin.

(c) The City Council of the City of Austin approved the location of the site September 30, 1931. At the time the City Council approved the location of the site plans were presented for the proposed filling station, but these plans had not been reviewed by the Engineering Department. Since that time Messrs. Caswell and Bowman have asked permission to withdraw those plans and substitute other plans. These later plans have been reviewed and corrections suggested by the Engineering Department. It has heretofore been customary for the Engineering Department to approve the plans before the final permit was granted, and assuming that the approval of the City Council as made September 30, 1931, was intended to apply only to the site, the Engineering Department presents the following plans and recommendations in the customary form.

We recommend that Messrs. Caswell and Bowman be granted a permit to construct and operate said filling station subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector. That the applicants shall confer with the City Engineering Department as to the future grades of the sidewalk and gutter on West Twelfth Street and West Avenue before he starts any construction relating to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the Building Ordinance, Zoning Ordinance, Filling Station Ordinance and in accord with the Ordinance prohibiting the disposal of commercial water or oil upon the city streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washing shall ever pass over the city sidewalk area, and that all of said oils and water shall be concentrated into a combined grease and sand trap, which shall be constructed in accordance with our standard plan 2-H-146, and shall be conducted by a pipe connection from said sand trap to the nearest city storm sewer at the expense of the applicants. The nearest storm sewer which is practical to connect with is about 416 feet west of the property of Messrs. Caswell and Bowman. Our estimate of the cost is \$275.00, provided that no rock excavation is encountered in the excavation. Rock excavation, if encountered, would increase the cost above this amount. This storm sewer connection would have to be made in the park and sidewalk area on West Twelfth Street. Before commencement of any construction the applicants shall apply to the City Engineer for an estimate of the cost of a storm sewer which will have to be built within Twelfth Street, and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That pumps shall be located as shown on the plan hereto attached, marked 2-H-180.

(5) That the location of all ramps and sidewalk crossings shall be in accord with plan 2-H-180, which plan is hereby made a part of this resolution.

(6) That all adjacent sidewalks, curbs, ramps and gutters adjacent to that property to be developed as a filling station shall be constructed of concrete as shown on plan 2-H-180.

(7) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

(Sgd) G. S. Moore,  
Building Inspector.

Orin E. Metcalfe,  
City Engineer, "

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Council of the City of Austin has already approved the southwest corner of Twelfth Street and West Avenue as a filling station site, and hereby authorizes Messrs. Caswell and Bowman to construct and operate a filling station subject to same's being constructed subject to all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans, and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all of the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present

and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if after hearing it is found by the City Council that Messrs. Caswell and Bowman have failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Council agreed to accept \$1,000.00 in settlement of suit for delinquent taxes against the George Johnson Estate and referred the matter to the City Attorney for proper resolution.

The application of Hyatt Donald for permit to place a dining car on wheels on the premises at 1305 Congress Avenue, legally described as Lot 2, Block 16, Original City, for use as a restaurant for a period of two years, was read. Councilman Steck moved that a temporary permit be granted the said Hyatt Donald for the use specified in said application, such permit to be revocable at the discretion of the Council. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

No further business coming before the Council, Councilman Steck moved to recess, subject to call of the Mayor. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Council then recessed.

Approved:   
M a y o r .

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 15, 1931.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; absent, Councilman Steck, 1.

The regular order of business was suspended in order to open bids received on the resurfacing of Congress Avenue and Sixth Street and the unpaved portion of South Congress Avenue from Bouldin Creek to Riverside Drive. The following bids were then opened and read: